

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 7546

BILL NUMBER: SB 590

NOTE PREPARED: Jan 13, 2011

BILL AMENDED:

SUBJECT: Illegal Immigration Matters.

FIRST AUTHOR: Sen. Delph

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ___**GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: This bill makes various changes to law concerning enforcement of federal immigration laws, checking the citizenship or immigration status of individuals, and related criminal matters, including the following:

- (1) Requiring that only English be used, with certain exceptions, in public meetings, public documents, by officers and employees of state or political subdivisions in performing their duties, and providing information communicated electronically by the state or a political subdivision.
- (2) Requiring the office of management and budget to calculate the costs of illegal aliens to Indiana and make a written request to the Congress of the United States to reimburse the state for those costs.
- (3) Prohibiting governmental bodies from restricting or limiting certain actions by other governmental bodies with regard to information of the citizenship or immigration status of an individual.
- (4) Prohibiting a governmental body from limiting or restricting the enforcement of federal immigration laws to less than the full extent permitted by federal law.
- (5) Requiring law enforcement officers to verify the citizenship or immigration status of individuals in certain situations.
- (6) Establishing a process to suspend or revoke business licenses of employers who knowingly employ unauthorized aliens.
- (7) Requiring the superintendent of Indiana State Police Department (ISP) to negotiate the terms of a memorandum of agreement with the federal government so that ISP employees can be trained to enforce federal immigration and customs laws.
- (8) Requiring state agencies, political subdivisions, contractors with public contracts for services with a state or political subdivision, and certain business entities to use E-Verify and meet other requirements.
- (9) Allowing a state agency or political subdivision to terminate a public contract for services with a

contractor for breach of the public contract for services if the contractor knowingly employs an unauthorized alien.

(10) Prohibiting individuals from commencing day labor without completing an attestation required under federal law.

(11) Creating private rights of actions for certain violations.

(12) Establishing certain state crimes, including:

(a) offenses related to identification numbers and documents;

(b) false identity statement;

(c) crimes established under federal law prohibiting the transporting, concealing, harboring, or shielding from detection of an alien or aiding, abetting, or engaging in conspiracy to commit one of those acts knowing or in reckless disregard of the fact that the alien has come to, entered, or remains in the United States in violation of law; and

(d) a crime established under federal law prohibiting encouraging or inducing an alien to come to, enter into, or reside in the United States knowing or in reckless disregard of the fact that the alien coming to, entering into, or residing in the United States is or would be in violation of law.

(13) Requiring law enforcement officers to impound motor vehicles for violations of crimes related to transporting, concealing, harboring, or shielding from detection aliens.

(14) Requiring a judicial officer (in setting bail) to consider that the defendant is a foreign national who has not been lawfully admitted to the United States as relevant to the risk of nonappearance.

(15) Allowing a law enforcement officer to arrest a person if the officer has probable cause to believe the person is an alien who meets certain criteria.

(16) Requiring the Indiana Economic Development Corporation (IEDC) and the Indiana Department of Agriculture to include certain agriculture jobs and wage rates on the corporation's and department's web sites.

(17) Requiring the Department of Correction (DOC) to verify the citizenship or immigration status of offenders.

(18) Prohibiting a person who is not lawfully in the United States from being eligible for or receiving any higher education award or a resident tuition rate.

(19) Requiring the department of workforce development to verify the status of an individual as a qualified alien through the Systematic Alien Verification for Entitlements (SAVE) program to determine the individual's eligibility for unemployment compensation benefits.

Effective Date: July 1, 2011.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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